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CODEL DeCONCINI

TRIP REPORT ON SOUTH AFRICA, NAMIBIA, KENYA AND NIGERIA

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II. DELEGATION CONTEXT AND OBJECTIVES

The dramatic realignment of relations between the Soviet Union and the United States has impacted significantly on developments in African states. A fundamental restructuring of internal and external political and economic systems has started to take shape and aspirations for more open and just societies based upon democratic principles are evident across the continent. While some changes have been made possible by the dramatic relaxation of superpower tensions, indigenous democratic movements toward democracy still face enormous barriers. African nations, with few exceptions, are in the midst of a very profound and prolonged economic depression. Other problems confronting Africa are of equally catastrophic proportions: exploding population growth; civil wars sometimes involving ethnic genocide; large displaced populations fleeing violence, persecution and starvation; a burgeoning debt crisis; ravaging famine and spreading diseases.

Yet the problems are not of such proportions that hope has been cast aside. Indeed, there is hope for and in Africa -- and that hope, to some degree, rests in Africans themselves. There is a growing consensus that Africa's devastating economic problems are significantly linked to the absence of democracy and that modern day African leaders must be held accountable for the pervading sense of failure. Africans are asking each other questions, and while the answers are made complex by a bitter and tragic colonial past, it is the more recent past since independence that is being examined.

Senator DeConcini visited Africa to study recent developments and examine how Africans are dealing with present demands, aspirations and problems. A corresponding objective of Codel DeConcini's visit to Africa was to examine the present economic, political and human rights developments and how the newly emerging political process known as the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) intends to address and meet the unique challenges confronting Africa today.

III. ORIGINS OF CSSDCA

Africa's Helsinki

It has been called "Africa's Helsinki."[1] It is an attempt to establish collectively standards by which African states will deal with each other and their own citizens in the struggle to achieve stability, cooperation and development. The CSSDCA initiative emanated from an April 1990 meeting organized by the Africa Leadership Forum to examine how changes in Eastern Europe were impacting upon Africa. Participants from Africa and elsewhere agreed that chronic problems facing many African nations derived as much from instability and insecurity as from economic circumstances. It was suggested that collective and continent-wide efforts were needed to provide the stability necessary for further economic, social and political development, and formation of a viable partnership between Africa and the rest of the world.

An international roundtable was held in Cologne 20-21 March 1991 to further discuss the concept of CSSDCA, to examine any lessons that might be drawn from the experience gained in the course of the CSCE (the Helsinki process), and to consider their relevance for Africa. The *Chairman's Summary of Conclusions and Recommendations*[2] noted, *inter alia*, that notwithstanding the differences between the European and African experiences there were areas where Africa might benefit from the Helsinki process. The *Summary* noted that "the recognition of increasing interdependence at the expense of the traditional concept of national sovereignty, especially as regards the treatment of people and the compliance with, and monitoring of human rights instruments, will lead to an acceptance of limited sovereignty with regard to certain matters" and that "ideas are best developed and defined through a dual and mutually reinforcing process of individuals and non-governmental organizations on the one hand and Governments on the other hand, as a strategy to advance integration and co-operation." Thus two critical aspects of CSCE were deemed relevant to Africa: the notion of limited sovereignty when it comes to human rights and the role of individuals and non-governmental organizations in reinforcing a government's duty to meet its responsibilities.

The Kampala Forum, jointly sponsored by the African Leadership Forum and the Secretariats of the Organization of African Unity (OAU) and the United Nations Economic Commission for Africa broadened the political process considerably to include Africans from all walks of life. At the 19-22 May conference were over five-hundred participants

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[1] Bell, Paul. "Report from Kampala." Leadership. July 1991, Johannesburg.

[2] A full text of the Chairman's Summary appears in Appendix A.

including five current and three former African Heads of State, senior officials, scholars, artists, students, women, business representatives, journalists and others, including South African parliamentarians and journalists. According to a conference organizer, fundamental objectives of CSSDCA are:

> *To create a process in Africa that would provide simultaneously for security and democracy which are both critical for stability and continental integration and transformation. CSSDCA calls for a radical restructuring of political systems in Africa in a manner that would evolve a democratic culture in the continent. CSSDCA is based on the principle that there can be no genuine development in Africa without political pluralism that extends fully to individual freedom, official accountability by those holding public office, popular participation as part of a leadership that is not confined to the "political leadership" but also embraces other sections of society such as business, labor, professionals, farmers, etc.*

The Kampala draft document was discussed at the OAU Summit in June 1991. It was decided that the Secretary General of the OAU would formally forward copies to each member state for further review and commentary and convene an experts meeting to examine the document prior to its formal submission to the OAU Council of Ministers meeting in February 1992. If approved, CSSDCA would then likely be ratifed by African nations at the next OAU summit in June 1992.

IV. THE KAMPALA DOCUMENT

The draft document adopted at the conclusion of the Kampala Forum reflects an attempt to channel a state's political, economic and social development within a regional framework promoting security, stability, development and cooperation among African nations and peoples. The document sets forward commitments to be sought from the governments of each of the African states for representative government and participatory democracy. Following is a summary of the document's provisions.[3]

* * * * *

Preamble

In recognition of the fundamental changes occurring in the world toward political pluralism and regional economic blocs and renewing the search for answers to the continuing crises of instability, underdevelopment and violence - the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) is recommended.

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[3] The full text of the Kampala Document appears in Appendix B.

Principles and Policy Measures for CSSDCA

I. Sovereignty
II. Linkage between the calabashes
III. Erosion of security and stability impedes to economic growth
IV. Necessity of a common African agenda
V. Establishment of four CSSDCA "calabashes": Security, Stability, Development and Cooperation
VI. Creation of a new order in Africa to govern intra as well as inter-African relations
VII. Fulfillment in good faith of obligations

Security

The concept of security goes beyond military considerations: it encompasses political, economic and environmental aspects. It is the first pillar of the CSSDCA: The security of Africa is linked to that of each nation and the security of each nation is dependent upon the security of the individual. Despite the principle of non-interference in internal affairs of another state -- the security of the individual must be protected, wherever he or she is being threatened.

Recommended Policy Measures:

- *Strengthening conflict resolution mechanisms
- *Establishing a continental peace-keeping machinery
- *Setting up confidence-building measures among states
- *Signing non-aggression pacts between the states
- *Lowering military expenditures
- *Establishing an African Elders Council for Peace

Stability

Stability is guided by the following principles: rule of law; popular participation in government; respect for human rights and fundamental freedoms; transparency in public policy making; political organizations not based on religion, ethnic, regional or racial bases or considerations; and separation of church and state.

Recommended Policy Measures:

- *Separation of party from state
- *Constitutional limits on tenure in political office
- *Establishment of independent judiciaries
- *Annual publication of human rights compliance
- *Establishment of an African court of justice on human rights
- *Sign, ratify and implement international and African instruments dealing with human rights
- *Promote accountability through establishment of institutions
- *Establishment of independent civil services
- *Constitutional right to own property, to free and fair elections, to run for public office
- *Remove statutes that permit detention without trial, assure the right to legal aid, forbid arbitrary arrest or detention without trial
- *End discrimination against women
- *Ensure acquisition of basic education by all youth
- *Adopt proportional representation
- *Bilateral non-aggression treaties among the states
- *Respect for trade-union rights

Development

Addresses concerns regarding Africa's economic survival. The development calabash is considered the *raison d'etre* for the CSSDCA process.

Recommended Policy Measures:

- *Human resources development -- eliminate illiteracy; increase funding in education and training; adopt national systems of meritocracy; encourage science and technology at early years of education; promote vocational and business education
- *Enhance efficiency in government administration
- *Adopt liberal economic policies to attract capital
- *Emphasize application of science and technology
- *Curb unemployment
- *Address Africa's crippling external debt (seek changes in IMF's lending conditionalities)
- *Promote food productivity (remove duties, launch an African commodity exchange, land reform, ensure larger share of state resources to women)
- *Arrest the on-going de-industrialization in Africa
- *Seek energy self-reliance
- *Implement special preferences to encourage intra-African trade
- *Impose ceiling on number of children per mother
- *Diversify sources of energy
- *Improve legal status of women

Cooperation

Promote cooperation at three levels: among African states; between African and other developing nations (south-south), and between African and industrialized nations (north-south). Goals of this calabash include economic integration, joint development of common natural resources and expansion of trade and economic ties throughout the world.

Recommendations for Implementation of the Process

Commence negotiations to adopt, at the Foreign Ministers level, a convention that is politically binding and which formally launches a CSSDCA process with periodic review conferences for purposes of collectively assessing implementation and performance of member states. Each state is to designate one or more existing national institutions to undertake on an annual basis, monitoring of that country's compliance with the CSSDCA process. A permanent secretariat would be established to backstop CSSDCA negotiations.

* * * * *

V. NATIONS AND ISSUES

Each nation visited by the delegation stands at a different point in terms of economic, political and human rights development. Such differences often found substance in varied opinions regarding CSSDCA and perceptions of national roles in the process. South Africa, relatively prosperous economically, still lacks democratic institutions -- although many facets of apartheid have been or are currently being dismantled. Namibia, which recently emerged from a long political struggle with a constitution viewed by many as a seminal African human rights document, faces the difficult task of national reconciliation and economic recovery. Nigeria, whose present military government plans to restore a two-party civilian democracy, is plagued by chronic corruption and teeters on the brink of economic collapse. Kenya, long considered a model of political stability and economic growth, is ruled by a dictator who has increasingly limited political pluralism and suppressed legislative and judicial independence.

Encountered among all with whom the delegation met was the belief that Africa is entering a new era which holds forth opportunities and challenges for its leaders and peoples. A central theme of discussions was human rights and the responsibility of government to ensure, protect and promote them. Discussions touched on topics ranging from one-person one-vote for all Africans with President De Klerk of South Africa, to freedom of movement with President Moi and Attorney General Wako of Kenya. The status of women was discussed at length with high-level government officials in Namibia and Kenya.

Recent events in Angola, Namibia, South Africa and Ethiopia, where longstanding conflicts have been resolved and political and economic reforms initiated, were attributed to the widely perceived inviability of Communist ideology, withdrawal of Soviet aid and general retreat of Soviet influence in Africa. South Africa's Foreign Minister Pik Botha pointedly attributed Nelson Mandela's release and the initiation of the reform process to the Soviet Union's withdrawal from southern Africa. Another result of easing superpower relations is the accord bringing peace to Angola after more than 17 years of civil war which saw the death of more than one million of its people, displacement of another one-half million, and creation of one-half million refugees. Now, a transitional process is being overseen by former rebels and government representatives along with Portuguese, American and Soviet observers until elections are held in late 1992. Those elections were discussed with the two leading political rivals, Jonas Savimbi and Eduard Dos Santos.

Communism's demise as an ideology and political force and the revolutions that swept Eastern and Central Europe in 1989 were noted by many as having had significant effects on African politics. ANC representatives spoke of the need to distance themselves from Communist doctrinal rhetoric. Some characterized South Africa's Communists as dogmatic, as if caught in a time warp some 10 to 20 years ago. Yet the "romanticism" of

Communist ideology lingers and some in the ANC are finding it difficult to cut ties to those who were their only allies for decades. White conservatives in South Africa also acknowledged the change, though warned that decades of mistrust and hate of communism and with it the ANC could not be swept aside easily nor quickly. One well-known conservative parliamentarian warned that unlike Eastern Europe where states largely had homogenous populations, white South Africans did not even have homogenous areas. He further claimed somewhat ominously that a bill of rights was merely an attempt to impose First World values on a Third World nation.

Another major item discussed in each country and emphasized in the Kampala Document was the role of women in Africa and the need to address very serious sex discrimination. Although women form the working backbone of rural agricultural societies in Africa, have primary and often sole responsibility for supporting family units and have begun to achieve high professional levels, they continue to face severe legal and cultural discrimination. Despite these barriers, African women are emerging as a new political and economic force in many nations. It was reported to the delegation that women comprised a majority of voters in recent elections in Kenya and Nigeria. In Soweto township outside of Johannesburg 85 percent of micro-enterprise loans -- funded in part by the Agency for International Development (AID) -- were sought by and given to women, who often established profitable ventures and maintained the highest repayment rates. In Kenya, where very few women hold political office, women lawyers are in the forefront of calls for equal rights, political pluralism, legal reform and environmental protection.

Discussion of possible roles for the United States in a changing Africa received considerable attention. Varied opinions, mirroring the debate concerning the efficacy, purposes, and results of economic sanctions against South Africa, were voiced regarding the use of U.S. foreign aid as a human rights lever. President De Klerk urged removing South Africa from "U.S. internal politics." Arguing that sanctions were counterproductive, De Klerk noted that the sanctions had the effect of hardening public opinion among the present electorate and delaying reform. However, others battling the current government to open its doors to all South Africans, urged the United States to pursue a policy of "phased maintenance" -- that sanctions be phased out as South Africa progresses toward democracy. Once an interim government is agreed upon and in place then all sanctions could be removed. Some argued that withdrawal of U.S. aid because of human rights problems in a country would only hurt those who needed help the most and not the offending government. Others stated that current levels of U.S. aid were insignificant and that attempts to link such aid to human rights performance would create resentment. Still others believed that withdrawal of U.S. aid would have an important psychological effect on offending regimes and would be appreciated as a principled show of support for groups backing democratic reforms. In Kenya most opposition group representatives strongly urged linkage of U.S. assistance to human rights concerns -- noting that untied aid has merely bought extra time for leaders to delay making the necessary political and economic

reforms.

Several commented as to how the United States and other developed nations might become involved in the CSSDCA process. Though most believed that the process was a mechanism primarily for Africans, they did envision a role for industrial nations in the CSSDCA later on, believing that some assistance might be appropriate. While no consensus emerged as to what form this support should take, suggestions included use of technical assistance borrowed from experiences with the Helsinki process, financial aid, and some form of participation in the CSSDCA process by the five permanent members of the U.N. Security Council, Japan, Germany and the EC.

* * * * *

South Africa

> *"But alas, my dreams had long since taken flight and now hung dry in shining cobwebs to which my fermenting furies clung crucified ..."*
>
> EZEKIEL MPHAHLELE, Down Second Avenue

In Johannesburg, Pretoria and Capetown, delegation members met with South African President F.W. De Klerk, Foreign Minister Pik Botha, African National Congress Executive Committee Members and other anti-apartheid party leaders, the President of the South African Council of Churches, Rev. Frank Chicane, Inkatha leader Mangosuthu Buthelezi, academics, parliamentarians from the three major political parties, human rights leaders, business persons, journalists and others.

South Africa is a very polarized society. The government sanctioned policy of apartheid has created a totally segregated society in which privileges, benefits, employment opportunities, political participation, even citizenship are granted or denied purely on the basis of race. Political, social, and economic discrimination against all who are not white is legally sanctioned. In 1984, the South African government adopted a new constitution that provided for three separate chambers of parliament -- one for whites, Indians and mixed-race citizens. Blacks to this day have no right to vote in national elections and have no representation in parliament. F.W. De Klerk was elected president by white voters in September 1989 following years of violent unrest. He promised to move South Africa toward negotiations with black leaders for a new constitution providing for power-sharing between whites and blacks. The pace of that promised movement has been the subject of varying criticism as well as support.

Optimism regarding South Africa's movement towards democracy and the

dismantling of apartheid was expressed in virtually all meetings. Most agreed that a political transformation of some kind was inevitable -- in De Klerk's view a "transitional arrangement;" in the view of the ANC an "interim government;" and in the words of others, if nothing soon -- then violence. However, there appears to be a growing schism between the leaders involved in the negotiations and their constituencies, as well as a widening gulf of distrust evolving between the main negotiators. According to a number of ANC representatives and church leaders that the delegation met with, it is growing more difficult to "go out on a limb" to explain the conciliatory approach taken toward President De Klerk. At a time when the government is perceived as not particularly interested in stopping the black-on-black violence and in some instances may have even propelled it, time is running short for the current leadership as the high expectations which erupted upon Mandela's release from prison go unmet. As a well-known black artist put it who had been arrested 6 or 7 times, the longest being for 7 months, a spark could set off an explosion at any moment; time has run out and "we are poised on the outskirts to move into the cities."

Though a number of outstanding issues continue to slow progress -- including right-wing violence, continued bloodshed between ANC and Inkatha backers, questions relating to political prisoners and exiles, and disagreement over transitional mechanisms -- negotiations between government and opposition parties continue to progress. While it is expected that a new constitution will be developed and one-person one-vote elections instituted before 1994, outstanding issues remain: who can be trusted as a neutral manager of the transition to democracy; since there are no models for South Africans to follow, can it actually expect to succeed; and even if apartheid is completely dismantled can its effects be eradicated? In a letter submitted to President F.W. De Klerk, Senator DeConcini raised a number of human rights concerns.[4]

Many people met by the delegation who considered transition to a democratic South Africa inevitable placed considerable emphasis on South Africa's potential role in economic and political future of Africa. Some viewed South Africa as an "Africa in microcosm," complete with numerous and sometimes conflicting ethnic groups, developed and developing population centers, and a fluid and volatile political and social mix. Kenyans, Nigerians, Namibians and other Africans contacted later in the visit by the delegation cited the importance of effectively integrating South Africa into the continent, and some hypothesized that South Africa would become an OAU member as soon as some form of a transitional power sharing arrangement was implemented. The CSSDCA process was widely viewed as a suitable vehicle for South Africa's multi-faceted reintegration into Africa. Others, however, pointed to the prospect of South Africa turning inward in light of its economic problems, focussing on restructuring its own political and

[4] A full text of the letter appears in Appendix C.

economic institutions while playing a limited role in Africa.

Two South African parliamentarians from the Democratic Party attended the Kampala Forum, as did the Secretary General of the ANC who represented Nelson Mandela, and a number of South African journalists. Several articles on the Kampala Forum appeared in the South African press and a wide array of emerging NGOs involved in the process of restructuring South Africa, were eager to become involved in the CSSDCA process. Participants at the Kampala Forum referred to South Africa as "Africa's stirring giant," citing the potential economic boost South Africa could provide the rest of the continent. Such a role, however, was predicated upon the complete eradication of apartheid, and those not yet convinced of the irreversibility of the movement towards democracy believed it was not yet time to "reward" the government of F.W. De Klerk. President De Klerk and Foreign Minister Pik Botha, while professing a lack of focus on CSSDCA, cited it as an important development especially in relation to security conditions and demilitarization of the continent.

Namibia

> *"All citizens shall have the right to form and join political parties and, subject to such qualifications prescribed by law as are necessary in a democratic society, to participate in the conduct of public affairs whether directly or through freely chosen representatives."*
> CONSTITUTION OF THE REPUBLIC OF NAMIBIA, Chapter 3, Article 17.

The Republic of Namibia became independent on 21 March 1990, ending 74 years of South African rule and a 23 year conflict between the South-West Africa People's Organization (SWAPO) and South African security forces. The transition to independence was overseen by the United Nations. SWAPO won Namibia's first free elections in November 1989 with 57 percent of the vote. Over 97 percent of registered voters turned out to cast their ballot in elections supervised and declared free and fair by the United Nations. The SWAPO dominated government has only two non-SWAPO members among its 18 cabinet ministers. However, it has been given high marks for the degree and level of consultation with opposition and citizens groups undertaken on major issues.

Namibia's Constitution, adopted on 9 February 1990 provides for universal suffrage, a two-chamber legislature, independent judicial and executive branches, rule of law and equal rights for all people. Namibia's adoption of such a constitution is a critically important step in ensuring the protection of human rights in Namibia's future and is suggestive of the path that the government and people desire to take. Some, with whom the delegation met, expressed concern regarding the overwhelming predominance of SWAPO members in government -- in part due to the weakness and fragmentation of the

other parties (seven political parties are represented in the parliament). In addition, the failure of the present government to go forward with elections for the second chamber was cited by some as an unfortunate signal of its uneasiness in implementing meaningful checks on executive power. However, well organized NGO groups and a lively press are presently contributing to an open and free political debate and acting as a check on development of a one-party state.

Human rights issues centered on accounting for missing Namibian detainees formerly held by SWAPO in Angola and by the former South African authorities in Namibia.[5] While there have been calls by government officials for an investigation into the missing persons issue, no action has been taken. It was suggested at one meeting with the delegation that such an investigation could prove embarrassing for current government officials. The present government is involved in a process of national reconciliation and is attempting to address the effects of decades of apartheid. However, Foreign Minister Gurirab declared the "honeymoon over" and stated that the government in power must seriously address and make good on the campaign promises that brought them into power, particularly in the area of jobs. Discrimination and violence against women are very serious human rights problems in Namibia, not unlike most African states. Women are discriminated against in employment and educational opportunities and suffer from pervasive cultural and traditional biases and prejudices.

In developing a new constitution, Namibians addressed a myriad of socio-economic and political problems and the varied needs of more than a dozen distinct ethnic groups. Such a process, and the nation's first fragile steps as a democratic society are drawing the scrutiny of African nations with similar problems that are looking at possible models of democratization. In this regard, it has been suggested that Namibia has an important role to play in the CSSDCA process. Foreign Minister Theo-Ben Gurirab noted that CSSDCA had been placed on the OAU agenda and believed Namibia could play a positive role in the process. The emerging role of NGOs in the development of human rights, fundamental freedoms and government accountability throughout Africa was illustrated in the activities of the Legal Assistance Centre. A major function of this organization was to educate Namibians about the unprecedented rights accorded them by the constitution. Programs were developed for classroom discussion, a network of legal advice clinics has been established and publications promoting the constitution and ombudsmen system are being mass produced. Besides pressing the Namibian government on various human rights issues, attorneys of the organization have begun to establish networks with attorneys of other African nations in order to propel human rights concerns beyond their own borders.

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[5] UN Security Council Resolution 435 provided for the release of "all Namibian political prisoners or political detainees held by the South African authorities" and for "the return of all Namibian refugees or Namibians detained or otherwise outside the territory of Namibia."

Kenya

> *"Mr. Speaker Sir, a characteristic of the rule of law is that no man, save for the President, is above the law."*
>
> AMOS WAKO, ATTORNEY GENERAL, in a speech before the National Assembly, The Nairobi Law Monthly

Kenya became independent in December 1963 after a prolonged and bloody uprising against Britain. Since then, particularly in the 1960s and 1970s, Kenya has had one of the most impressive economic growth rates in Africa and has maintained a relatively stable political system and impressive human rights record. Today Kenya faces serious unemployment, a fast growing population, shrinking per capita income, and a government intolerant of democratic dissent which relies increasingly on threats of violence to quell growing demands for reform. President Moi's claim that such reforms would lead to tribalism and ethnic conflict was described to the delegation as Moi's "last chip" in his bid to retain power as President of Kenya.

The concentration of executive powers was a leading source of criticism heard by the delegation. One prominent former high-level government official claimed that democratic "institutions have been emasculated and laws prostituted." Most reform-minded lawyers corroborated such charges asserting that Kenyans have no faith in the legal system and do not expect to receive justice from it. Members of parliament have been effectively "straight-jacketed" -- dependent upon Moi for their political survival. Since the 1982 constitutional amendment making Kenya a *de jure* one-party state, demands for political pluralism have been met forcefully by the Moi government.

In July 1990, security forces arrested two former Ministers, Charles Rubia and Kenneth Matiba, in an attempt to prevent a planned pro-democracy rally. On July 9, after several protests in Nairobi and elsewhere, the Moi government ordered use of deadly force against anti-government demonstrators. By the end of July, 23 demonstrators had been killed and several wounded by security forces. Numerous well-known lawyers, editors and other professionals have been detained or arrested. The government has embarked on a policy of confiscating passports to prevent individuals from leaving Kenya. Jaramogi Oginga Odinga, who served as Vice-President following independence, and who recently attempted to register the National Democratic Party, was prevented from leaving Kenya to attend a conference in London on democracy. Several other well-known political activists and their spouses have had their passports taken from them and some were simply dragged off of airplanes while attempting to travel outside of Kenya.

Kenya's regional influence imparts upon it an important role in development of the CSSDCA process. More than two dozen Kenyans attended the Kampala Forum, comprising one of the largest groups from any one African nation. Among Kenyans

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attending the Kampala meeting whom the delegation met with were an eminent artist, a former foreign minister as well as parliamentarians, prominent lawyers, business persons, and the president of an organization which aids NGOs working in development areas. The government of Kenya declined to officially send representatives to the forum. It was reported to the delegation that some Kenyan participants were referred to as dissidents and criticized in parliament and by the press.

In meetings with President Daniel arap Moi, Attorney General Wako and other officials, Senator DeConcini raised several issues related to Kenya's deteriorating human rights situation. Co-Chairman DeConcini protested the recent seizure of passports from numerous dissidents and their family members and submitted a list of such individuals to President Moi. In an open letter to President Moi, Mr. DeConcini urged the President to release individuals detained for peacefully expressing a desire for political pluralism and to allow free and open discussion of political issues.[6] Senator DeConcini requested that the U.S. Embassy in Kenya send observers to trials of prominent dissidents later this year.[7]

Nigeria

> *"Does it ever worry us that history which neither personal wealth nor power can pre-empt will pass terrible judgment on us, pronounce anathema on our names when we have accomplished our betrayal and passed on? We have lost the twentieth century; are we bent on seeing that our children also lose the twenty-first?"*
>
> CHINUA ACHEBE, The Trouble with Nigeria

Ethnic strife, civil war, coups d'etat, military regimes and intermittent periods of civilian government mark Nigeria's political history since independence from Britain in 1960. Presently, Nigeria, Africa's most populous nation with approximately 116 million people and home to more than 300 distinct ethnic groups, is ruled by a military regime, the Federal Military Government (FMG), headed by President Ibrahim Babangida, who came to power following a 1985 coup. A 19-member Armed Forces Ruling Council (AFRC) is the highest political authority in Nigeria. There is no elected national legislative

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[6] The full text of the letter appears in Appendix D.

[7] The U.S. Embassy in Nairobi has informed the Commission that it is currently observing the criminal contempt proceedings against Paul Muite, a well-known human rights lawyer, and other members of the Law Society of Kenya. Mr. Muite is being tried on charges of violating a court-ordered injunction, restraining him from making *inter alia* political statements contrary to the constitution and calling for registration of a political movement and/or party.

body. Only two political parties have been permitted to register, the National Republican Convention and the Social Democratic Party, both of which have their political manifestoes imposed upon them by the military regime. Though Nigeria's oil and gas reserves (ninth and fifth largest, respectively) make it potentially one of the world's richest states, the poverty rate has climbed and the middle class is threatened with extinction. It is Africa's biggest debtor nation with a debt of about $33 billion and has one of the lowest 10 per capita incomes on the continent.

Nigeria plays a significant role in any continent-wide endeavor, especially vis-a-vis CSSDCA as President Ibrahim Babangida currently serves as chairman of the OAU. The nation's tenuous political, economic and internal security situation and chronic corruption at almost all levels of society, however, raise serious questions about the promised transition to civilian control scheduled for late 1992. Recent actions by President Babangida in creating nine new states, raising to 30 the number of states in Nigeria, unleashed a wave of violence and arson and has caused the two political parties to postpone by six weeks primaries for gubernational and state elections scheduled for December. A failed coup attempt on April 22, 1990 was followed by dozens of summary executions, closings of newspapers and journals, lack of fair trials, and confirmed instances of police brutality, torture, and arbitrary detentions of ordinary citizens that continue today. While many Nigerians are in the forefront of promoting CSSDCA and dozens attended the Kampala meeting, past failures of civilian governments and uncertain plans for political and economic restructuring leave some observers skeptical about Nigeria's role in CSSDCA.

A moving force behind the CSSDCA process is General Olusegun Obasanjo, former president of Nigeria. Following the 1975 assassination of Murtala Mohammed, Nigeria's ruler, General Obasanjo who was second in command of the ruling military council, was appointed president. Four years later, he called elections and turned over power to civilian rule. During a meeting with delegation staff members, Obasanjo reflected on the origins of the CSSDCA and where the process was headed in the future. He discussed the positions of various African leaders regarding their nations' participation and the role of the OAU in moving the process forward. He described delicate behind-the-scenes negotiations at the June 1991 OAU summit, at which it was decided to submit the Kampala findings to an experts meeting in February 1992. Obasanjo expected that the OAU would adopt the Kampala findings as an official OAU document at the June 1992 summit, although he pointed out that representatives from a number of nations were actively working to shelve the Kampala process.

VI. CONCLUSIONS

As the twentieth century draws to an end, Africa confronts age-old problems that have left many disappointed and bitter. It is a continent where the rich get richer and fewer while the poor get even more poor and hungrier. While the struggle for survival and the fear generated by brutal acts of repression and civil war keep most from political activism, more and more dissenters are moving from the peripheries of political and social action and trying to force a public dialogue with leaders and the silent majorities. The seeds of change have been planted. Old systems -- weak from years of ineffective governance, dictatorships, lack of accountability, economic robbery and abject poverty -- are breaking down.

A consensus is emerging in Africa that devastating economic problems and gross inequities are, to a significant degree, linked to an absence of democracy, and that current African leaders must be held accountable for the pervading sense of failure. The fact is that political issues can not be separated from development issues. And just as so many with whom the delegation met with want to share in the resources of their countries, so too do they want to participate in its political life.

The events in Eastern and Central Europe and the Soviet Union demonstrated graphically the ultimate vulnerabilities of illegitimate regimes. This has not been lost on Africans. Since the fall of communist regimes began in Eastern Europe two years ago, single-party dictatorships have ended in more than a dozen sub-Saharan African nations, and changes in Zaire, Cameroon, Togo, Madagascar and elsewhere are occurring even as this report is being written. While the urgency of the situation may seem readily apparent, many Africans fear that Africa will remain marginalized and relegated to the peripheries of world affairs as events in Europe, Asia, and North American continue to dominate global attention. Some believe that continent-wide integration and cooperation is the only way to promote, preserve and advance the interests of African nations and peoples. In this regard, the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) offers an opportunity that should be seriously considered.

APPENDIX A

Deutsche Stiftung für internationale Entwicklung | German Foundation for International Development | Fondation Allemande pour le Développement International | Fundación Alemana para el Desarrollo Internacional

DSE

International Roundtable on a Conference on Security, Stability, Development and Co-operation in Africa (CSSDCA)

CHAIRMAN'S SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

by
OLUSEGUN OBASANJO
Chairman, Africa Leadership Forum

Cologne, Germany
20 - 21 March 1991

Africa Leadership Forum

CHAIRMAN'S SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

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1. In November 1990, the Africa Leadership Forum and the Secretariats of the Organization of African Unity (OAU) and the Economic Commission for Africa (ECA) jointly convened in Addis Ababa a brainstorming meeting on a Conference on Security, Stability, Development and Co-operation in Africa (CSSDCA), followed by a steering committee meeting in February 1991 devoted to the consideration of the format, mechanism and process of the proposed CSSDCA.

2. Following a generous invitation by the Development Policy Forum of the German Foundation for International Development (DSE), an international roundtable was held on 20 and 21 March 1991 in Cologne, Germany, to further discuss the concept of CSSDCA, to examine any lessons that might be drawn from the experience gained in the course of the Conference on Security and Co-operation in Europe (CSCE), briefly called the Helsinki-process, and to consider their relevance for CSSDCA. The Cologne meeting offered an opportunity to learn from the experience of a successful process, while in no way preventing Africa's prerogative to design its own programme appropriate and relevant to its situation.

3. Participants in the Cologne roundtable - senior policy-makers and personalities from Africa, Europe and North America - agreed that the conclusions reached in the initial meetings on CSSDCA represented a viable basis for an effort to redress and improve the situation prevailing in Africa and overcome the marginalisation of the continent. The ultimate purpose of such an exercise is twofold: trying - by Africans essentially on their own efforts - to resolve real and pressing problems; and to attract the support, interest and co-operation of non-African powers in the realization of Africa's aspirations.

Characteristics and features of the Helsinki-process

4. The Helsinki-process was launched during the cold war period characterized by a direct, sharp East-West confrontation while at the same time there was a widely shared feeling of commonality and determination to tackle existing problems in Europe. All understandings reached must be seen in the light of a strong feeling of a common European heritage and common values, especially with respect to human rights. Clearly, it was an attempt by the Europeans to pursue a regional approach to the solution of existing problems by the region itself.

In the 1960s and 1970s, the continent was divided largely into two rigid ideological and military blocs, complemented by a group of neutral and non-aligned countries. During this period, informal efforts were initiated by concerned individuals -intellectuals, statesmen, politicians, businessmen - to initiate a conference on security and co-operation in Europe. It took almost 15 years until such informal efforts bore fruit.

5. The bipolar structure existing in Europe facilitated the work of the preparatory body culminating in the adoption of the Helsinki Final Act, while applying the rule of consensus for decision-making. The motivations to engage in the process were quite different for each of the major groupings, the West and the East. The negotiations during the preparatory process were conducted against the background of the prevailing nuclear deterrence. This constellation made the use of military force both undesirable and dysfunctional. To guard against the danger of accidental war caused by technical malfunctioning or political instability, both sides undertook to commit themselves to the principle of renouncing the use of force.

6. The Soviet Union and its Eastern European allies sought a consolidation of the post WW II status quo in Europe, in effect ratifying Yalta and codifying the division of Germany. Moreover, the Eastern bloc aspired to improved economic co-operation with Western Europe and, in the process, better access to Western technology and financial resources.

7. The Western countries, essentially NATO, for their part were more interested in creating counterweights/safeguards against the Soviet military might and the perceived danger of a surprise military attack given the Soviet superiority in conventional arms and its offensive posture. The military dimension provided for the involvement of two non-European NATO powers, the United States and Canada, as full partners in the process. Furthermore, the West was anxious to promote the observation of human rights and the freedom of movement and communication with a view to improving the living conditions of the population in Eastern Europe. It also sought to keep the option of peaceful change to existing borders open. In hindsight, the human rights dimension contributed to the undermining of the status quo and eventually proved to be a critical contributing factor in overcoming the East-West conflict.

8. These divergent interests resulted in the inclusion of three baskets in the Helsinki Act of 1975. Basket I dealt with general principles and confidence-building measures in the military field. Basket II dealt with economic co-operation, science and technology and environment and basket III was dealing with human and cultural rights.

9. Since the adoption of the Helsinki Final Act in 1975, popular involvement, commitment and support, especially for basket III, through NGOs and independent "watchdog" committees, such as the Helsinki Watch Committees in numerous countries, proved to be invaluable and a crucial factor for the success of CSCE. A complex web of a CSCE-system has emerged over time that works altogether towards the improvement of the conditions of people in Europe. During regular review conferences progress is analyzed, deficits of implementation identified and governments obliged to account for their policies. An agreement to publish conference reports in the Western and Eastern press helped to make the various aspects of the process transparent and accountable. Thus, governments were under pressure to perform in spite of the - strictly legally speaking - non-binding character of the CSCE agreements.

10. - CSCE and the ongoing integration processes in the context of the European Communities and EFTA placed the traditional notion of national sovereignty in a new perspective. Clearly, a trade-off was perceived between the yielding of a certain degree of sovereignty in exchange for some measure of control over the sovereignty of another or a group of other countries. Economic co-operation and integration in Europe, however, developed for a number of reasons in a much more dynamic and effective way among more limited groups of European countries, like the EC, and not so much among the CSCE states as a whole, although a progressive deepening of the economic integration has taken place and may still continue.

11. In November 1990, the Helsinki process entered a new stage with the adoption of the Charter of Paris and, for the first time, the - albeit cautious - creation of institutions assigned specific tasks (a small secretariat; early conflict prevention center; and an office for free elections). After the dramatic changes in the political map of Europe in 1989/90, the Helsinki-process is henceforth facing a new challenge, as it will have to be conducted in a multipolar and thus more heterogenous setting than before. This will put the continued application of the consensus principle to the test. In substantive terms, new dimensions have emerged, such as conflict management, peace-keeping and mediation mechanisms, environmental protection and migration. The idea of creating an all-European parliamentary assembly is under discussion.

12. After some 15 years of informal discussions, the formal process since the adoption of the Helsinki Final Act extends now over a period of a further 15 years. In this timeframe, results were often achieved that initially had not been defined as objectives of the process. At the outset, the fundamental changes in the political system, military pact structure and the economic policies of the Eastern countries could, even in the wildest dreams, not have been anticipated.

13. It should also be noted that the - largely conference-related - costs of the CSCE process were financed entirely by Governments in accordance with an agreed scale of assessments reflecting the ability of Governments to pay in accordance with their GNP figures.

The Relevance of the Helsinki-Process for Africa

14. Unlike the situation existing in Africa, the Helsinki process was conceived and initiated in an atmosphere of sharp ideological divisions and military confrontation. Africa is today in socio-economic crisis, burdened by serious and frequent violations of human rights from one-party and one-man dictatorships leading to poor and ineffective governance, lack of accountability and disregard for the rule of law, ridden with denial of rights and justice to minorities leading to internal and regional conflicts, excessive expenditure on the military and widespread famine, malnourishment, environmental degradation, uncontrolled population growth and abject poverty. But Africa also now has a new opportunity for seriously addressing its problems and for self-realisation as old systems break down and a new, democratic system is enthroned, economic co-operation, integration and peaceful relations are being seriously pursued and civil society is being encouraged without distraction by ideological barriers, confrontations and wrangling positions. Africa will be able to contribute to the emerging new world order for one, indivisible world, for the greater good of humanity and for the sake and interest of Africa's economic progress and well-being.

15. While CSCE concentrated on three baskets, CSSDCA will focus on four interlinked calabashes: security - stability - development - and cooperation.

16. Notwithstanding the different European constellation and motivations, there are areas where Africa may benefit from the European experience:

a) Africans having sufficiently defined their common issues and commonalities, must also agree on what problems can be tackled by Africans themselves. Clear purposes must be stated, which however may not be the only ones that will ultimately be achieved.

b) The European exercise was not limited to European countries only, but included powers whose action and involvement impinged on Europe.

c) The essential feature and intrinsic value of the European experience lay in its conceptualization as a dynamic and open process. The pursuit of such a carefully defined process entails commitment, perseverance, dedication and patience towards a set goal through an often arduous series of negotiations and subsequent implementation.

d) The recognition of increasing interdependence at the expense of the traditional concept of national sovereignty, especially as regards the treatment of people and the compliance with, and monitoring of human rights instruments, will lead to an acceptance of limited sovereignty with regard to certain matters.

e) Ideas are best developed and defined through a dual and mutually reinforcing process of individuals and non-governmental organizations on the one hand and Governments on the other hand, as a strategy to advance integration and co-operation.

f) The linkages between the four calabashes must be recognized and fully taken into account. In Africa, security broadly defined should go beyond the traditional definition and reflect the aspect of physical and economic security of each individual, including the the access of everyone to basic necessities of life, such as food, shelter, education and health has clear linkages with development and co-operation.

g) African Governments must vigorously pursue concrete projects aimed at co-operation, development and integration, especially in the economic area inspired by the role model of the European community. Existing sub-regional organisations, such as SADCC, PTA and ECOWAS, have the potential but must be made more effective through initiatives in the areas of trade, banking, industry and agriculture.

h) Certain key principles such as territorial integrity of states, peaceful settlement of disputes etc. should be upheld and the free movement of people and the right to asylum should be guaranteed.

i) There is an imperative need to build public support in the participating states and across the continent for the process, in order to ramify the principles and commitments into the minds of the people, to provide a linkage between the Governmental and non-governmental initiatives and to ensure independent, effective monitoring and regular follow-up.

j) The observation of the rule of consensus would ensure that all states participate on an equal footing and as equal partners. Nevertheless, this may not prevent the categorization of certain issues, some of which require consensus while for other revised approaches could be agreed.

k) The creation of appropriate institutions (such as an independent African court of justice or of auditors) and political bodies (e.g. a parliament) with the authority to make binding decisions may help to ensure transparency and accountability.

l) There are no military blocs in Africa, but security problems are real and a disarmament and common defense process must be initiated for Africa, although taking a completely different shape than in Europe. African states should set up effective regional security arrangements because of the prevalence of conflicts on the continent.

m) Co-operation with non-Africans should be intensified especially for the purpose of stimulating an increase in capital flows and investment on the basis of mutual interest.

Elements and procedures of the CSSDCA process

17. CSSDCA is a phased concept. Initially, it must be an African initiative and process, launched by African Governments as an important vehicle for greater democratization and better governance in Africa. In the second stage, CSSDCA should involve other powers outside Africa whose actions impinge on Africa. At an appropriate point, the agenda for interaction with relevant non-African states or groups of states will be defined.

18. CSSDCA should, to the extent possible make use of existing organizations and institutions in Africa, even if such bodies would have to be transformed for the purpose, and may not necessitate the creation of new entities. Any costs accruing as a result of the process should be equitably shared by all participating Governments.

19. Although CSSDCA will be a process carried by Governments, this shall not preclude the involvement of recognized NGOs, professional and business organizations as integral elements of the overall process.

20. Following the Cologne meeting, the steering committee set up by ALF and the Secretariats of OAU and ECA will engage in close consultations with African NGOs before convening the Kampala Forum in May 1991 to broaden the base and understanding. The Kampala Forum will be part of a broad mobilization process on an individual basis and will directly formulate proposals to be submitted to African Heads of State and Government in Abuja, in June 1991. This will represent the first phase of the formal intergovernmental process. Government leaders will then have to decide about the next stages of the process. It is hoped that the then current Chairman of the OAU will receive, in this capacity and in his capacity as President of his country, a mandate to start the preparatory work, initially with the convening

of a preparatory conference of plenipotentiaries. Following conclusion of their work, Foreign Ministers will have to meet and agree on the text to be submitted for consideration by heads of state. Any pending or unresolved issues will then have to be ironed out by Government leaders themselves.

21. The process should make allowance for periodic review conferences and should also provide for the involvement of independent monitoring committees and groups.

APPENDIX B

Africa Leadership Forum

JOINTLY WITH THE SECRETARIATS OF

ORGANIZATION OF AFRICAN UNITY

United Nations
Economic Commission for Africa

THE KAMPALA DOCUMENT

Towards a Conference on Security, Stability, Development and Cooperation in Africa

19-22 MAY 1991
KAMPALA, UGANDA

INTRODUCTION

AFRICA MOVES TO LAUNCH A CONFERENCE ON PEACE, SECURITY, STABILITY, DEVELOPMENT AND COOPERATION IN AFRICA

For the first time ever, the 1991 OAU Summit of African Heads of State and government, acknowledged in its final communique that "there is a link between security, stability, development and cooperation in Africa". Leaders at the OAU Summit recognized that the problems of security and stability in many African countries, have impaired their capacity to achieve the necessary level of intra-African and inter-African cooperation so as to attain the integration of the continent which is critical to the socio-economic transformation of African countries. This important reflection in the final communique of African leaders derived from a current initiative for Africa to establish its own "Helsinki" process designed to suit the realities of the continent and the specific circumstances of African countries.

In particular, the discussions and conclusion by African leaders on the whole question of security and stability in Africa was reached against a background of a historic gathering at the Kampala Forum 19-22 May, 1991 which deliberated on a proposal to launch a Conference on Peace, Security, Stability, Development and Cooperation in Africa (CSSDCA). The Kampala Forum was attended by over 500 people including a number of current and former African Heads of State and adopted the Kampala Document that effectively maps out a framework for governance and development in Africa in the 90's and into the 21st Century. The Document simultaneously addresses the

problem of security and stability in Africa and set forth the necessary process of democratization as a pre-requisite for the peace and tranquility Africa needs to sustain a sufficient level of cooperation for the integration and development of the African continent.

The Kampala Document was discussed both by the OAU Council of Ministers and the OAU Summit in Abuja. The compelling message of the Kampala Document to the Abuja meetings was that "the security and stability of each African country was inseparably linked with the security of all African countries" and that "Africa cannot make any significant progress on any other front without creating collectively a lasting solution to its problems of security and stability".

In echoing the Kampala proposals for CSSDCA, President Kenneth Kaunda of Zambia who, on behalf of all other African leaders replied to the opening statement of the newly elected OAU chairman President Babangida of Nigeria, compared CSSDCA with the Treaty of African Economic Community (that was subsequently to be signed) and concluded that the two initiatives "represented the two sides of the same coin". He emphasized however, that CSSDCA, like the Treaty for the African Economic Community, should be implemented within the OAU framework.

A number of leaders, perhaps as a reflection of their own domestic situation advised on the need for some caution in the implementation of CSSDCA, yet the OAU Council of Ministers and the OAU Summit both recognized the importance and the necessity for CSSDCA.

The Kampala Document represented a rare occasion where such a far reaching initiative, has emerged, not from within the organs of the OAU or African intergovernmental organization(s), but rather, in a gathering of many Africans from all walks of life under a non-governmental organization -the Africa Leadership Forum. Therefore, quite apart form the far reaching fundamental changes called for in the Kampala Document with respect to the whole question of governance in Africa, such an important initiative from a gathering under a non-governmental organization faced a particularly unique situation

because it has no precedence in the OAU. It is perhaps this factor which led President Joachin Chisano of Mozambique to emphasize at the Summit-while speaking on CSSDCA - that important ideas in history including the "Helsinki" process (for Europe) have always originated from individuals often, acting in their personal capacities. President Chisano made a powerful case for Africa to encourage such individual initiatives.

Regarding the implementation of CSSDCA, the OAU Summit decided that the Secretary General of the OAU should: a) formally forward a copy of the Kampala Document to each OAU member state for any additional input such a member state may have; b) convene a meeting of a group of experts to reflect on additional suggestions/proposals from OAU member states prior to the submission of the Document to the OAU Council of Ministers in February, 1992 and on to the Summit in June, 1992.

While no single African country opposed the Kampala Forum proposals at the Abuja meetings, procedural matters were at the heart of the agreement reached on the steps for the furtherance of the CSSDCA process in Africa. An overwhelming majority of African countries - having welcomed this initiative at an OAU Summit level, and in recognition of an increasingly precarious security situation and socio-economic crises in the continent, did not show any signs of wanting to delay the launching of CSSDCA. In consequence, it was recognized as being self evident that unless (Africa leaders) collectively tackle the security and stability problems of the continent, Africa will have no chance for socio-economic transformation. Accordingly, Africa is clearly on the move to achieve its own "Helsinki" process within itself and between itself and the outside world that impacts and impinges on it.

The successful negotiation at the CSSDCA will open new vistas and establish a new era for Africa which will promote stability, prosperity and the de-marginalisation of Africa.

June, 1991
Olusegun Obasanjo

I. PREAMBLE

We, for and on behalf of the people of Africa, the participants at the Kampala Forum on Security, Stability, Development and Cooperation in Africa having assembled in Kampala, Uganda from the 19th day of May to the 22nd day of May 1991;

CONSCIOUS of the political changes which are taking place in Africa and other changes which are taking place elsewhere in the world and their impact on Africa;

MINDFUL of the serious multifarious problems which are crippling Africa's economic survival and progress;

RECALLING that in July 1990 the Assembly of Heads of State and Government of the Organization of African Unity (OAU) adopted a Declaration on Socio-Economic Situation in Africa and advised that the fundamental changes taking place in the world should guide Africa's collective thinking about the challenges they face and options available to them;

COGNIZANT of the fact that the recent geo-political changes that have also brought about the relaxation of military tensions between the two super powers and their allies have enhanced the trend towards political pluralism which has in turn created an environment conducive to the promotion of intra-and inter-state security and stability in African countries;

CONVINCED that the transition to political pluralism in African countries needs to be encouraged, supported and sustained;

REALIZING that there is need to transform the African Charter on Human and People's Rights as well as the African Charter for Popular Participation in Development into effective instruments for promotion and protection of human rights as well as for fostering genuine involvement by the people in their governance and management of their national affairs;

AWARE of the emergence of regional economic trading blocs in various parts of the world and the rapid advances in science and technology, and alarmed at the observable shift of resources from the Western industrialized nations to Eastern Europe and for the reconstruction of the Gulf States which jeopardizes resource flows to Africa;

CONCERNED that Africa cannot achieve economic and social progress at their present levels of external debt burden;

CONVINCED that the responsibility for security, stability, development and cooperation on the African continent rests not only with the people of Africa themselves but also on international cooperation, support and participation;

EMPHASIZING that it is timely and imperative to launch an effective process among African countries which would create a framework for preventing, containing and eliminating pernicious intra- and inter-African conflicts and serve as an instrument, for the management and resolution of such disputes and conflicts as well as for the sustenance of regional cooperation, integration and development;

HEREBY RECOMMEND to the heads of State and Government of African countries to launch a Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) to lead to the adoption of the following principles, policy measures and a process for its implementation after due negotiations:

II. PRINCIPLES AND POLICY MEASURES FOR CSSDCA

A. GENERAL PRINCIPLES

I.

Every African state is sovereign. Every state respects the rights inherent in the territorial integrity and political independence of all other African states.

II.

The security, stability and development of every African country is inseparably linked with those of other African countries. Consequently, instability in one African country reduces the stability of all other African countries.

III.

The erosion of security and stability in Africa is one of the major causes of its continuing crises and one of the principal impediments to the creation of a sound economy and effective intra- and inter-African cooperation.

IV.

The interdependence of African States and the link between their security, stability and development demand a common African agenda based on a unity of purpose and a collective political consensus derived from a firm conviction that Africa cannot make any significant progress on any other front without creating collectively a lasting solution to its problems of security and stability.

V.

A Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) should be launched to provide a comprehensive framework for Africa's security and stability and measures for accelerated continental economic integration for socio-economic transformation. CSSDCA shall encompass four major areas henceforth called calabashes: security, stability, development and cooperation.

VI.

A new order embodied in the framework of CSSDCA must be created in Africa through a declaration of binding principles and a commitment to ideological independence which will guide the conduct of governance in individual African states as well as the imperatives of intra-African and inter-African relations. The implementation of the new order should seek an active partnership and positive involvement of the rest of the world.

VII.

The fulfillment in good faith of all the CSSDCA principles must be adhered to by all participating states within the context of any other obligations each participating member may have under international law.

B. SPECIFIC PRINCIPLES AND POLICY MEASURES

SECURITY CALABASH

The concept of security goes beyond military considerations. It embraces all aspects of the society including economic, political and social dimensions of individual, family, community, local and national life. The security of a nation must be construed in terms of the security of the individual citizen to live in peace with access to basic necessities of life while fully participating in the affairs of his/her society in freedom and enjoying all fundamental human rights.

Lack of democracy in which people freely participate in government, denial of personal liberties, abuse of religion, precedence given to military expenditures over other sectors of national life and the lack of proper administrative machinery for the control and management of public funds are some of the deep-rooted causes of insecurity.

The security calabash of CSSDCA will be anchored on some specific key principles to be adhered to by all participating member states;

(i) Conflict prevention and containment: greater attention should be paid to measures to prevent or contain crisis before an eruption into violence confrontation;

(ii) Internal and external security for Africa must derive from a framework of common and collective continental security;

(iii) African governments must individually and collectively be guided by the principle of good neighbourliness and a peaceful resolution of conflicts;

(iv) National and continental self-reliance in certain strategic areas covering both military and non-military including popular participation in national defence, is vital for Africa's security.

The security of the African people, their land and property and their states as a whole is an absolute necessity for stability, development and cooperation in Africa. It must be a sacred and a primary responsibility of all Africans and all African governments individually and collectively, exercised within the basic freedoms and rights of the African people.

Security must be the first pillar of the CSSDCA process because of the organic links between the security of all African states as a whole and the security of each of them, arising from their common history, culture, geography and destiny which necessitates collective responsibility and action. In order to achieve local, national and continental security, certain principles involving a wide range of policy measures with focus on conflict prevention, resolution and a management process must be agreed, concluded and implemented under CSSDCA.

While giving due recognition to the provisions of the United Nations and Organization of African Unity Charters with respect to the principles of good neighbourliness and non-interference in the internal affairs of states, growing international concern for humanitarian causes and the experience in Africa of civil strifes and acts of wanton repression, demonstrates an increasing concern over domestic conditions pertaining to threat to personal and collective security and gross violation of basic human rights. The CSSCDA must aim at promoting and strengthening this welcome development to enable African countries to cooperate in ensuring the security of Africans at all levels.

Aside from military security, food self-sufficiency for Africa, and affordable resources to achieve self-reliance in energy, is as much a security matter as it is an economic priority. As a matter of regional security and socio-economic necessity,

existing regional efforts (in the areas of agriculture and energy research and development) should be pooled under the CSSDCA process into two separate major centers - one to be charged with the responsibility of ushering in a "green revolution" for Africa and the other with the task of achieving a major breakthrough in specific renewable sources of energy, especially solar energy.

The following policy measures to give effect to the CSSDCA principles on securities are recommended:

Mechanisms for Mediation, Conciliation and Arbitration

There is, indeed, the urgent requirement to prevent conflicts and disputes from escalating into armed hostilities. This calls for the strengthening of conflict resolution mechanisms for negotiation, mediation, conciliation and arbitration at the governmental, political and diplomatic levels, within the framework of intervention. Africa, under CSSDCA, should revitalize the operational effectiveness of the OAU Commission on Mediation, Conciliation and Arbitration. In conformity with African tradition, the emphasis should be put on timely mediation and reconciliation.

Peace-keeping operations

Building on the limited experiences of Africa and cumulative lessons of the United Nations' operations, and taking measures that would avoid the mistakes which have been committed in such instances, Africa under CSSDCA, should institute a continental peace-keeping machinery as an important instrument for the preservation of peace in instances which potentially or actually threaten the security of African state(s) or the continent as a whole. Such arrangements, however, should not preclude United Nations peace-keeping operations where necessary. In particular, the vital issues of:

(a) Authorizing body for mandating the establishment, extension and termination of peace-keeping operations;

(b) command and control structures;

(c) administration and logistic support for operations;

(d) funding systems;

(e) Procedures for acquisition of troops; and

(f) Modalities for rapid deployment in reaction to situations of aggression against participating member States should be well defined.

Confidence building measures

To restore a lasting state of national and continental security, confidence building measures between African countries are called for under the CSSDCA process to cover, *inter alia*, exchange of information on troop locations and movements; joint military training; joint military manoeuvres; joint naval patrols; joint studies and seminars on sub-regional, regional and continental security issues.

Non-aggression pacts

A more enhanced policy measure for continental security requires a non-aggression treaty among all African countries under the CSSDCA process, along the model of a similar treaty that already exists between the member states of ECOWAS. The non-aggression treaty among African countries should also incorporate a commitment to defend each other in the event of external military aggression.

Lowering of military expenditures

The undertakings involving all the security preventive measures outlined above should appreciably reduce, if not substantially eliminate, inter-African tension and dangers of open military conflicts. Such collective efforts must pave the way for a collective process of lowering military expenditures in Africa under the CSSDCA process. Overall reduction of military expenditures by participating member states should involve actual reductions in ceilings of manpower and reduced expenditures on

military hardware. Consideration should also be given to collective understanding of the type of military equipment justifiable for procurement or manufacture by African countries.

In order to gradually build up measures of relative self-reliance in the military field as well, collective African effort should be undertaken under CSSDCA for the selective manufacturing of desirable military equipment for Africa's defense. Additionally, member States should undertake to report their arm imports and exports to the OAU Secretariat.

As an effective measure for national defence as well as a strategy for the reduction of military expenditures, national service schemes should be expanded to cover military training as well as to encourage popular participation in defence.

Africa's Elders Council for Peace

To move Africa from the confinement of purely reacting to events, to a capacity of anticipatory and containment measures for its security, an African Peace Council should be formed and charged with the task of ensuring that peace and harmony reigned in the continent and a state of intra-African and inter-African tranquility is created and maintained. The African Peace Council under CSSDCA, should be pre-eminently comprised of the most distinguished personalities and African elder statesmen. The Council must be empowered under the CSSDCA and given discretion to effect a measure of intervention in national security problems of participating member states and determine appropriate actions which may involve reconciliation and mediation or recommendation of deployment of African peace-keeping operations or both. The Council should operate under the OAU framework.

STABILITY CALABASH

Promoting political and social stability in individual African countries will be a key component in the CSSDCA process. The stability calabash will have to be guided by certain important principles to be adhered to by all member states.

(i) Adherence to the rule of law: Governments will have to vigorously follow the provisions of laws or codes legislated by an assembly of freely elected representatives. No one can be exempt from accounting for his conduct when a law is breached.

(ii) Popular participation in governance: Active and genuine participation of the citizens of every country in the governance of public affairs has to be fostered.

(iii) Respect for human rights and fundamental freedoms: Promoting and protecting the rights and freedoms of the citizens of member states will be deemed vital.

(iv) The establishment of political bodies: Political organizations should not be created on religious, ethnic, regional or racial basis and considerations and these should not be exploited by leaders.

(v) Transparency in public policy making: Decisions relating to governance of public affairs should be freely discussed and choices assessed so that the public will be mindful of the risks and rewards associated with any action of government.

(vi) Religious fundamentalism, no matter from whatever religion, fosters instability. Governments must encourage the principle of separation of State and religion. Religion must remain a personal affair.

To fulfil the CSSDCA principles on stability, African governments will have to initiate, design and implement policy measures, and strengthen institutions which adjudicate disputes, resolve conflicts and attenuate the possibility of violence.

There has to be a due recognition of the fact that a fundamental link exists between national security, stability and sustainable development and these conditions can only be brought about by democratic practice and democratic institutions encompassing full respect for human rights, official accountability and popular participation.

The following policy measures are recommended for implementation in fostering intra-country stability and cohesion consistent with the proposed principles:

Freely promulgated constitution with Bill of Rights provisions

Every state should have a constitution that is promulgated after thorough national debate and adopted by an assembly of freely elected representatives of the people. Such a Constitution should contain a Bill of Rights.

Existence of plural political structures

Every country would ensure that there is no hindrance to alternative ideas, institutions and leaders competing for public support. In this case of multiparty pluralism, this principle requires that every participating member should ensure the separation of party from the state.

Limitation to the tenures of elected political leaders

There should be periodic renewal of the mandate of political leaders. At the same time, the tenure of elected leaders in various branches of government should be constitutionally limited to a given number of years.

Security of tenure for officers in the Judiciary

Not only should the actions of the officers of the bench be unfettered by the legislative and executive branches of government, but their tenure should be guaranteed and provided for in the national constitutions. Decisions relating to the removal of officers from the bench should be exercised by a Judicial Commission. Independence of the judiciary must be effected through an inviolate tenure of offices, and through stable emoluments guaranteed by an act of parliament.

Annual publication of records of compliance with human rights instruments

To promote vigorous observance by African Governments of the various international legal instruments to which they would subscribe or have subscribed, it would be essential that the performance of governments be monitored. In addition to whatever organs, individual governments may establish for this purpose, the charter and mandate of the African Commission on Human and Peoples Rights (ACHPR) should be expanded for ACHPR to undertake an annual assessment of human rights record of each African country and publish its findings. The monitoring role prescribed for the ACHPR is not intended to be exercised only in situations of human rights violations but as an annual routine and applied to all African signatory states of CSSDCA. The establishment of an African Court of Justice on Human Rights within the framework of ACHPR is recommended. The court will adjudicate between governments and people's rights. ACHPR should be funded separately drawing upon the funds of international organizations and other independent sources.

Signing, ratification and implementation of legal instruments for protection and promotion of human rights

An important element in fostering stability is to protect and promote human rights of individual citizens. This not only assures the individual of his/her rights and dignity but also enables him to actualize his/her full potential which itself is necessary for socio-economic development. Therefore, every participating state would be required to sign, ratify and implement African and other relevant international legal instruments in the field of human rights.

Establishment and protection of organs for monitoring accountability

Institutions that promote accountability in public service should be established. These may include board: of audits for public expenditure, code of conduct bureau for public officials and ombudsman. Once established, these institutions should be given adequate protection through measures that enable independent financing and guarantee tenures for the officers of the institutions.

Independence of financing for national institutions of adjudication and accountability

The financing of organs of adjudication and accountability (courts, audit boards, code of conduct bureaus or ombudsman) should be paid from consolidated revenue funds not subject to arbitrary interference by executive fiat.

Independence of the Civil Service

An independent Civil Service having a guaranteed security of tenure, salary and pension with members nominated on professional grounds by an independent Civil Service Commission. Removal of a Civil Servant must be exercised solely by an independent Civil Service Commission.

Right to own property

A constitution approved by a freely elected legislature must guarantee the individual right to own property and the right to enjoy societies' socio-economic and cultural benefits.

Free and fair elections

The national constitution should stipulate *inter alia* that the citizens of participating members have the right to participate in free and fair elections in their countries through an election based on a secret ballot and universal adult suffrage. By the same token, every citizen of a participating member state has the right to stand for election of public office and participate in the affairs of the state. The presence of international observers in national elections is desirable as it will enhance the credibility of the election process and results.

Freedom from arbitrary arrest and detention

No citizen should be subject to arbitrary arrest or detention without trial or subject to trial and other forms of human or cruel treatment. Provisions for *habeas mandamus* and *habeas corpus* should be made in national codes or laws. Legal aid services for those who cannot provide legal services for themselves should be funded from public revenue. All participating African countries should remove from their statute books all laws authorizing detention without trial.

The status of women

All the existing laws that discriminate against women should be abrogated and juridical instruments and mechanisms that will guarantee and preserve the rights of women should be adopted. The United Nations Convention on the Elimination of Discrimination against Women should be ratified by and applied in all African countries.

Youth and education

The future of Africa will be in the hands of the youth of today. Educational systems should incorporate in their curricula teaching in African values, cultures, history, philosophy, etc. Research in African humanities should be given no less attention than the pursuit of science and technology. In the face of escalating education costs, strategies should be devised to ensure the acquisition of basic education by all youth. Education is a prerequisite to the full and effective participation of people in the democratic process and all efforts should be made to eliminate illiteracy.

Proportional representation

With respect to electoral mechanism that promotes maximum participation of all groups in their Government, the principle of proportional representation should be adopted, taken into consideration the peculiar situation of each country. The principle of proportional representation should be applied for legislative elections. To foster stability in governance of national affairs, governments should ensure that in making appointments, due regard is given to equitable representation at the central, regional and local levels.

National borders

To restore and maintain stability along national borders, bilateral non-aggression treaties should be concluded and ratified by each African nation separately with each of its border neighbors.

Trade union rights

In order to ensure industrial peace and harmony which is a prerequisite for economic growth and development all governments should respect trade union rights in accordance with ILO conventions and recommendations.

DEVELOPMENT CALABASH

Africa must subscribe to some basic fundamental principles to fashion a common direction of development under the CSSDCA process.

(i) Development based on self-reliance is the only viable basis - in Africa's circumstances - for the internalization of a self-sustaining economic growth on the continent.

(ii) Rapid physical and economic integration of the African continent is a *sine qua non* to Africa's economic survival in the 21st century and prospects for socio-economic transformation and competitiveness with the rest of the world.

(iii) Reliance on commodity production solely for export has been one of the major causes of Africa's economic crisis. Effective diversification both horizontally in terms of broadening the production base and vertically with respect to processing and marketing is imperative for the socio-economic transformation of the African economies.

(iv) Popular participation and equal opportunity and access must be promoted and sustained as a crucial basis for the realization of Africa's development objectives and strategies.

(v) In order to forster effective domestic partnership in development, leaders and the governed should have recognizable responsibility for various aspects of development. The Leaders should provide the vision that should guide development.

The development "calabash" is the raison d'etre for the CSSDCA process. Collective continental policy measures must aim at a development process that epitomizes the African person. A maximum harnessing of the energies and initiatives of people by unlocking and developing their capacity for imagination and developing their ability to participate in the definition and implementation of development goals; CSSDCA should create a truly people-centered development.

Africa's development policy measures must be based in the short-term on Africa's immediate struggle for survival in order to address the more excruciating long-term imperatives of socio-economic transformation. Out of pragmatic necessity, the CSSDCA process should only address limited but key development issues to ensure a realistic chance of success.

The following measures are recommended to give effect to the CSSDCA principles, under the Development calabash.

Human resources development

People are both the means and the desired end of the benefits of development. Africa's development is principally hampered by inadequate human capabilities. Priority measures by Africa under CSSDCA should highlight the relevant elements of the Khartoum Declaration on Human Centered Development and the Mauritius Declaration on Education. The CSSDCA process should, in addition, embody the following major priorities on a collective continental basis in the field of human resources development:

1. The adoption of programmes aimed at eliminating illiteracy across the continent by the year 2000.

2. Increase in the allocation of financial resources to education and training by diverting a significant propor-

tion of such resources now devoted to military expenditures to education.

3. Adoption of national systems of meritocracy. In addition, appropriate levels of incentive and compensation for professionals and African civil servants must be introduced, to assist in curbing the brain-drain from Africa.

4. Introduction of science and technology at the early years of education should be encouraged.

5. Measures to achieve an overall improvement in the quality of education should be implemented and monitoring systems to ensure continuity in the enhanced quality of education must be developed.

6. The adoption of clear policies of preference for using African talent thereby promoting the development of a critical mass of professionals to replace the expatriate technical skills that currently cost Africa in excess of US$ 4 billion annually.

7. Promotion of vocational and business training and management skills.

8. Promoting the use of and support for existing and new regional and subregional institutions that serve as centres of excellence.

9. Establishment of human resources skills bank for Africa for use in facilitating resource sharing.

10. Implementation of the Mauritius Declaration on Education.

11. Harmonization of the continent's educational policies to improve the quality and relevance of education at all levels.

12. Pool of resources for specialized training and expansion of student exchange programmes especially for language training; countries with under-utilized universities should offer opportunities to nationals of other countries at a nominal cost.

Capacity building and development

Collective and coordinated continental policy measures in capacity-building must first target development of capabilities in the area of governance; the nurturing and development of those with leadership potential; measures to reverse the decline and enhance the efficiency of government administration in Africa which must remain the hub for originating policies and strategies on both the process of governance and the direction of economic development.

Special policy measures under CSSDCA must be targeted towards a comprehensive development of African entrepreneurial capabilities. The strategy on entrepreneurial development should be buttressed by active government encouragement and support covering extensive exchange of visits by entrepreneurs and some form of technical coopération among African countries.

Focus on entrepreneurial development must go hand in hand with deliberate policy measures for the development of endogenous institutional capabilities especially technical and other forms of private consultancies. Relevant continental professional associations must be strengthened. In this regard, considerations must also be directed to policy restrictions at three levels in the use of certain consultancies and in the award of related contracts: national consultants; continental consultants; and, others. National consultants should be included in any assignment involving the last two categories.

Major changes must be instituted to ensure accountability and the pursuit of modern systems of management. Among other measures to be instituted should include a system of orienting leaders at ministerial and senior levels and adoption of the African Charter for Popular Participation in Development.

Economic Transformation of Africa

There is a need for a complete restructuring of African economies to ensure in the long run a judicious combination of diversified agriculture together with industrialization as a basis for sound African development.

Viable development in the long run must depend increasingly on the application of science and technology. Schools and institutions of learning should be made to place more emphasis on science-oriented subjects. Moreover, since technology is, in the main, within the prerogative of transnational corporations which appear to hoard it, African countries should initiate programmes and policies for the development of indigenous technology. This calls for huge investments of resources in Research and Development (R&D).

African countries should adopt liberal economic policies that will attract capital, a factor of production in which African states are enormously deficient. While encouraging privatization and divesting government of equity in public enterprises, the first option must be given to indigenous African entrepreneurs. If necessary they should be offered assistance in the take-over of enterprises privatized. Part of this whole process is to ensure Africa's resource mobilization without which Africa's survival and development cannot be met.

If Africa is to achieve a rate of growth that fosters economic transformation, it will be necessary to adopt those policies and measures that, firstly, harness the continent's own resources, and, secondly, provide incentive to attract investment both local and external. Specific policies such as an international reporting system on capital flight aimed at the repatriation back to Africa of the continent's human and financial resources must be put in place.

This transformation measures to curb unemployment should be developed through such means as massive infusion of resources into the private and informal sector.

Finance resource mobilization

The CSSDCA process must, as a top priority, seek to mobilize financial resources for Africa's socio-economic development and cooperation through, *inter alia*, advancing a collective continental position on Africa's crippling external debt. Changing circumstances reflected in favourable debt policy shifts by major creditors towards some debtor countries provide a

realistic basis for implementing better strategies within the objectives of Africa's Common Position on the External Debt reached by the Special OAU Summit in 1987.

Increased efforts at mobilization of domestic resources should involve control of excessive consumption and adoption of measures to promote domestic savings.

Africa's financial mobilization process should also seek collective measures toward an operational common ground between IMF/IBRD supported Structural Adjustment Programmes in Africa and AAF-SAP as adopted by African leaders. These policy measures must seek changes in IMF's lending conditionalities (to Africa) that must both achieve large net balance of payments support and a measure of greater independent policy by African governments.

Appropriate strategies must be adopted for collective comprehensive policy measures to reverse the net outflow of financial resources from Africa based on a moratorium that must be secured on external debt and improved arrangements with multinational lending agencies.

Promotion of joint projects by two participating members or more for funding from external/internal sources is a more practical measure in resource mobilization. The lending policies of the African Development Bank for joint projects by different sovereign states should be reviewed to devise a mechanism for substantial lending to such projects.

The combined effect of the various policy measures on financial mobilization should be geared to the restoration of Africa's import capacity for the necessary short-term recovery and development of domestic factor input for long-term socio-economic transformation.

Agricultural development for food self-sufficiency

The transformation of the agricultural sector by increasing food productivity and food self-sufficiency with a view to turning Africa into a food exporter is key to Africa's socio-economic development. The strategy for the attainment of this

goal is one that should make it possible for Africa to be self-sustaining on food requirements in both the short term and the long run.

This strategy is in keeping with the Lagos Plan of Action and the African Priority Programme for Economic Recovery. We therefore call for their full and effective implementation.

In addition, we recommend the following:

1. Africa should pool together some existing agriculture research centers and mobilize the best available talents for such centers in a collective coordinated research for a "green revolution" in the continent.

2. Other policy measures should include removal of all domestic non-sanitary restrictions to internal food marketing.

3. Consider removal of all duties on some priority food items for intra-African trade under proper rules of origin.

4. Discourage imports from non-African countries of food items available in Africa.

5. Launch an African commodity exchange with emphasis on food items. All these measures should aim at expanding agriculture output to a minimum target of 4 per cent a year.

6. Governments should establish food and nutrition policy to ensure that food and nutrition considerations are made explicit objectives in agriculture and rural development projects;

7. Adopt the food basket concept of using traditional foods in local communities to formulate balanced diets;

8. Establish systems of production, processing, distribution and marketing of traditional foods;

9. Embark on land reform (where this is not yet in place) to ensure that land is within the reach of the ordinary person, especially farmers in rural areas as opposed to land speculators;

10. Mobilize women especially in the rural areas and ensure that at least one-third of a country's technical assistance to small farmers goes to women. Mobilization should also take into consideration the role of NGOs who in collaboration with small farmers could design, implement and concretise literacy programmes that are production-oriented;

11. Private investment in agriculture should be encouraged. This should be aimed at providing profitable opportunities in farming and incentives in the production of local agricultural inputs to satisfy domestic consumption as well as export needs;

12. While mechanized farming should be undertaken for export purposes, it should not be at the expense of rural farming.

To achieve these agricultural objectives, arrest environmental degradation and ensure increased production for sustainable development Africa Governments should formulate sound policies for water resources planing and development.

Energy development

Next to agriculture and food self-sufficiency, implementation of policies by Africa on energy self-reliance are essential considering that in some respects, the economic crisis in Africa is traceable to shortages and high cost of energy. Collective continental efforts under CSSDCA must concentrate on pooling human talents and material resources for research on alternative sources of energy, especially solar energy. Africa must also encourage and be involved in international research on solar energy.

Priority in alternative energy policies must be directed towards sources that address the serious shortage of firewood for an estimated 55 million people in Africa in order to alleviate

worsening environment problems. Effective policy measures to address this problem should include rural electrification. Major areas to power Africa's socio-economic transformation will remain hydropower and hydrocarbons.

Under CSSDCA, joint development initiatives should be undertaken to cover (a) interstate coordination and implementation of hydro schemes in recognition of their spin-off effects towards other sectors and (b) expansion of explorations and development operations for hydrocarbons through joint ownership, bearing in mind that large scale development of hydrocarbons in other developing regions has largely been brought about by state supported efforts.

Industrial development

The CSSDCA process should urgently arrest the ongoing de-industrialization in Africa, particularly under orthodox Structural Adjustment Programmes. Intermediate and capital goods industries should be encouraged through multinational projects, and small to medium-scale industrial enterprises should be promoted vigorously with the provision of credit and technical support. The current excessive import dependence of African industries must be eliminated through a shift of industrial strategy to domestic resource-based manufacturing in order to enhance industrial value-added in Africa. There should also be a shift in the focus of African industries to processing of raw material for exports and manufacturing to meet basic domestic needs for food, drugs, educational materials, housing, transport and water treatment chemicals. Mineral industries should be encouraged through sub-regional and regional cooperation. All these require the pooling of limited national capital, technologies and technical expertise as well as the pragmatic use of planning at national, sub-regional and regional levels.

Trade Development

Intra-African trade is the most important component in the necessary structuralist integration of Africa economies.

Collective policy measures should target expanded intra-African trade in food and agricultural commodities including raw materials, through an accelerated implementation of special trade preferences. A second set of collective policy measures should create special arrangements for intra-African trade expansion linked to the establishment of some specific core and strategic industries. Further policy focus should be targeted to collective approach to Generalized System of Trade Preferences (GSTP) and multilateral trade negotiations taking into account the impact of Trade Related Investment Measures and Services (TRIMS) and Trade Related Intellectual Property Rights (TRIPS).

Transport and Communications

The CSSDCA process should serve as a vehicle for accelerating within specifically stipulated targets the implementation of the Second Transport and Communication Decade for Africa. A long term policy strategy under CSSDCA should aim at the development of multi-modal transportation capable of sustaining the movement of a large volume of intra-African economic activities. The viability of this effort aimed largely at railroad development must be based on its direct linkage with the establishment or expansion of core industries and the use of Africa's technical capabilities. Joint coastal shipping operations should be established. Air transportation should regroup carriers in Africa and expanded traffic rights should be negotiated and implemented within the CSSDCA.

Population and Environment

In recognition of the link between population expansion and the environment, a set of policy measures must simultaneously target both and proceed on other environmental problems: consideration of harmonized law on minimum age of 18 for female and 21 for male before marriage; putting a ceiling on number of children per mother; law authorizing property ownership for women and long term national schemes for old age support.

Second set of policy measures under CSSDCA should set targets for reforestation, diversified sources of energy, regulation of all activities in logging in Africa; measures for safe disposal of waste and non-disposal of toxic waste from outside the continent; a development pattern that is environmentally sensitive; and, a long term strategy coordinated with United Nations Environmental Programme to deal with Africa's environmental problems.

Science and technology

Science and technology must be promoted to facilitate full exploitation of resources by optimising on the use of existing institutions (both subregional and national). Financial support for this worthy cause should be increased. Access to the exploitation of resources should be open to both the public and African private sector with the Government playing a regulatory and not a restrictive role that stifles African entrepreneurship and initiative which are important vehicles for the enhancement of science and technology. Views of the Business Community should be solicited on how obstacles could be overcome for every country.

Women in development

Africa's development in all aspects cannot be assured without the full involvement of women in decision-making processes at all levels and their full access to all factors of production (land, labor, capital). This calls for appropriate policies and implementation of strategies at the national, institutional and regional levels. Specifically, we call for the early implementation of the African Declaration on the Advancement of African Women, notably the Abuja Declaration, and the Arusha and Nairobi Forward looking Strategies.

In order to assure collaborative efforts in advancing the role of women in all countries and organizations, there is need for Governments to enunciate policies on these matters.

Given the central role of women in food and agriculture all practical measures should be taken to ensure their equal access

to technologies that can alleviate their workload and enhance their productivity.

In addition to access to land, women should be given land rights by law so as to improve their access to credit and other services.

COOPERATION CALABASH

Africa should proceed along the three tiers of cooperation:

1. Among African countries - using bilateral and multilateral agreements and the existing sub-regional economic groupings as building blocks towards the achievement of an African Economic Community;

2. South-South cooperation which Africa should pursue to achieve more fruitful results; and

3. North-South cooperation.

Cooperation as a key component of the CSSDCA process should be guided by certain vital principles to be adhered to by all member states:

(i) Economic integration: African countries cannot expect to compete or develop individually, in the evolving international economic system dominated by regional economic blocs. Economic integration should be intensified and a shortened timetable for the African Economic Community should be agreed upon. Economic integration should be fostered by encouragement of increased interaction by people through removal of restrictions for temporary entrance and exists by Africans front and to any other African country.

(ii) Joint development of common natural resources: African countries will need to collectively act in utilizing such resources as waterways, forests, coastal zones and the management of environment.

(iii) Interdependence: African countries must seek to explore opportunities for beneficial cooperative relations with other developing and industrialized nations. There is no contradiction between the need for intensified cooperation between African and non-African countries and the principle for self-reliant and self-sustained development.

(iv) Supranationality: As African countries foster cooperation and integration, the need for devolving certain key responsibilities to continental institutions would be imperative.

The CSSDCA process should develop a framework for collective action and policy so as to provide impetus for cooperation on a wide range of areas. The participating states of the CSSDCA process will decide upon what those areas should be.

Promotion of integration and cooperation should be guided by some basic common policy measures.

Trade and Production. Improvement of a variety of trade-related facilities such as transport, communications and payments arrangements are keys to enhanced intra-African trade. At the same time, there is need for African countries to deliberately seek and promote trade opportunities among themselves. The process of seeking trade opportunities should be complemented by joint production, as discussed under joint ventures.

Joint ventures. The main focus of joint ventures should be increased production, even though such efforts should be directed to other areas as well. African countries should cooperatively stress the production of key components of medium and

high technology goods taking into account economies of scale. Such joint ventures should build on comparative endowment of African countries. Thus, the CSSDCA process should promote cooperation in joint production by matching countries that have natural resource endowments with those that have financial capital or other inputs. The private sector should assume the lead role in promoting joint ventures while the public sector assumes the role of facilitator.

Financing regional cooperation programmes

Development of policies on financing cooperation and integration should be given special attention. Innovative ways of raising resources for cooperation and integration programmes and projects have to be found, given the very many difficulties associated with financial resource mobilization: in particular, the paucity of intra-African savings and investments and donor preference for bilateral cooperation. African countries should set up a fund financed by a certain per centage of surcharges from the imports of individual countries. This approach will need to be implemented alongside arrangement for resources from multilateral financial institutions.

Selecting lead countries to promote cooperation projects: An important element in accelerating the cooperation process is the identification, development and management of cooperation projects. Given the time that cooperation projects are fully established and independent management installed, a lead country should be designated for promoting the project. That way, other member states can have recognized focal points to which all issues pertaining to the project are directed. The lead country, then, becomes a catalyst for bringing a project to fruition, while the process of sustenance of the project becomes the responsibility of the management of the project.

Focal points should be established in various African countries to promote cooperation and integration. In particular priority consideration should be given to establishing ministries of cooperation and integration. The participation of non-govern-

mental organizations in promoting cooperation should also be encouraged.

Joint development of infrastructures. To accelerate cooperation and economic integration among African countries, there should be intensified efforts at common development among African countries, of such infrastructurual facilities as railways, roads, air and river transport as well as energy resources.

Accelerating integration among African countries. The Final Act of Lagos endorsed the approach of phased continental economic integration, with the sub-regional economic groupings as the building blocs. Presently, all the sub-regional groups in Africa now have an economic group, though some countries do not, as yet, belong to any of these groups. The signing of the treaty establishing the African Economic Community would be a watershed event. But more important would be the policy mechanisms which are designed to give effect to the treaty as a framework for African wide cooperation.

The prospects for all the development policy measures in every sector in Africa and the whole CSSDCA process will critically be determined by the degree of collective effort towards continental integration. The locus of policy and development initiatives must therefore be directed to collective measures for a rapid economic and physical integration of the continent. A structuralist model of continental integration should be adopted based on a minimum timetable for an African Economic Community. Continental Integration through strictly subregional models should be reviewed to allow for more innovative measures and strategy.

Promoting and accelerating integration among African countries would depend crucially on the support and commitment of African countries. Equally important, however, is the need to encourage and promote active involvement in the integration process of various socio-economic factors such as trade unions, chambers of commerce, women, youth associations as well as other professional associations. These professional associations

should be a vanguard force in cooperation, in standards, in training and research and civil liberties, as well as in other areas. The operations of professional associations, entrepreneurs and research scientists must not be restricted by national borders. Free movement of persons must be encouraged bilaterally, sub-regionally and continentally. More importantly, the selection of personnel of the secretariat of African Economic Communities should be based on merit to ensure the highest calibre of such personnel.

Rationalization of existing intergovernmental organizations: Given the multiplicity of intergovernmental organizations in the field of cooperation and integration in Africa, it is vital that their numbers be reduced. Such a step would not only reduce the expenditures of member states for such organizations, but would also enable governments to devote more attention to the IGOs that would remain. The few IGOs should then be redesigned to render more effective services to member States.

South-South (African and other developing countries) cooperation. There is considerable scope for promoting cooperation between African and other developing countries. The Global System of Trade Preferences (GSTP) already serves as a framework for accelerating South-South trade. African countries should identify specific areas of benefit in the GSTP in the context of the continents' structural weaknesses.

African countries should encourage foreign investments from other developing countries which can contribute to enhancing their production and exports. Such investments should emphasize technology transfer arrangements and may be organized through licensing arrangements, franchising and joint ventures. Investments should be targeted at producing not only consumer goods but also intermediate and capital goods.

Cooperation between Africa and the Industrialized countries. Cooperation between Africa and the industrialized countries would continue to be an important source of acquiring financial and industrial capital for the socio-economic development of Africa. The objective of these cooperation arrangements should be to remove the basic structural weaknesses of the African economies. Seeking to elevate Africa from its status of exporter of raw materials to producer of manufactured and other processed products should be the key consideration in any cooperation arrangements with the industrialized nations. Very importantly, there is need to promote cooperative arrangements in the areas of science and technology, food and agriculture, environment and energy.

International policy initiatives, such as the Global Coalition for Africa and others, designed to promote development and cooperation should include significant African participation in decision-making and management; just as they must produce substantial results leading to increased resources and capacity building in the areas of food and agriculture, science and technology and industrial development.

III. RECOMMENDATIONS FOR THE IMPLEMENTATION OF THE PROCESS

This section embodies recommendations for implementing the process of the CSSDCA in order to realize its objectives. Thus, it describes what African governments could do from the time that the KAMPALA DOCUMENT on the CSSDCA is submitted to and considered by the Assembly of Heads of State and Governments of the Organization of African Unity in Abuja, in June 1991.

A. LAUNCHING OF NEGOTIATIONS ON THE CSSDCA PROCESS

On submission of the Kampala document to the OAU Summit in Abuja, a decision would have to be taken to launch the negotiations process. The purpose of the negotiations will be to adopt a convention that is politically binding under the CSSDCA. Such negotiations could begin at the level of plenipotentiaries and conclude at the Foreign Ministers level with the final adoption of a convention by participating States at the summit level.

The dates as well as venue for launching the negotiations could be set by the current chairman of the OAU after consultations with his colleagues.

The negotiations on the CSSDCA process should centre on the principles and policy measures proposed in part II of this document as well as this Part of the document, particularly, sections C to G. These negotiations among African countries should not exceed two years, culminating in the signing of the convention. The implementation of the provisions of the convention of the CSSDCA is for limitless duration; hence the CSSDCA is described as a process, subject to periodic review as proposed in section E below.

B. SUPPORT MECHANISMS FOR THE NEGOTIATIONS

For the duration of the negotiations of the convention, a two-tier support mechanism is suggested. A Consultative Secretariat for backstopping the negotiations should be established. There shall also be a Consultative Committee, whose functions will be to assist African governments during difficult times of the negotiations. The Consultative Committee will also organize an annual Forum, on a NGO framework, to assess progress in the implementation of the CSSDCA process with a view to sensitizing and sustaining public awareness about the process. The Committee shall be co-chaired by two African eminent Statesmen.

Funding for the support mechanisms and other measures envisaged under the process shall be sought from voluntary contributions of participating States, international organizations and other donors.

C. PERMANENT SECRETARIAT FOR CSSDCA

A Permanent Secretariat for the CSSDCA process may be established at the end of the negotiations. The proposed Consultative Secretariat to backstop the negotiations on CSSDCA could form the nucleus of the Permanent Secretariat of CSSDCA. In this regard, the participating States will have to decide on the size, structure, responsibilities and location of such a permanent secretariat.

D. REVIEW CONFERENCES

The CSSDCA is a process. As such, there shall be periodic review conferences to collectively review the progress made in the implementation of the Convention and in particular to examine the performance of each member country in regard to compliance with the principles and policy measures in the CSSDCA convention. The frequency and the level of these review conferences shall be embodied in the convention. A period of two years at the level of Heads of State and Governments is recommended for consideration.

E. MONITORING OF AND COMPLIANCE WITH PROVISIONS OF CSSDCA PROCESS

Strict compliance with the provisions of the CSSDCA process is expected of all participating States. For this reason, while non-African participating States may simply accede to the convention, all African members will incorporate provisions of CSSDCA in their national legislation. Monitoring for compliance will require a mutual interchange of national and collective arrangements. Each participating State will be required to designate one or a few existing national institutions to undertake, on annual basis, monitoring of the country's compliance with the CSSDCA process.

The process of collective evaluation of each member State's compliance at the review Conferences will be based on reports of various continental organizations assigned the role of assessing the performance of each country in specific areas. Such reports will be publicly rendered.

It is envisaged that the implementation of the agreed measures stipulated in the convention could be accomplished at three levels:

unilateral or national:	relating to policy and other measures or requiring action on the part of individual international participating member States within its territory;
bilateral or regional:	relating to policy and other measures requiring action by two or more participating States;
multilateral or international	relating to policy and other measures requiring action by participating States and international organization(s).

The task of monitoring full compliance with the provisions of the convention shall be carried out by the Permanent Secretariat of the CSSDCA proposed in Section C. In carrying out this task, the Permanent Secretariat shall coordinate with regional and international bodies in the context of the relevant calabash: security issues (OAU), development and cooperation (ECA and ADB). Support and assistance from other relevant international organizations or institutions especially the UNDP, IMF and IBRD should be utilized to promote realization of the objectives of the CSSDCA process. The area of stability, in particular governance, democratization and popular participation will be directly monitored by the Permanent Secretariat of CSSDCA and the involvement of ACHPR will be sought. An instrument will have to be developed to monitor these elements. Such instrument will include NGOs in these fields.

F. INTERNATIONAL COOPERATION

After the signing of the convention by African countries, many non-African countries whose actions impact on Africa's security, stability, development and cooperation, should be invited to jointly explore with Africa the possibilities for cooperation in implementation of the convention.

G. FINANCING OF CSSDCA

The CSSDCA process would require financing at two levels. Firstly, there should be financing of the meetings for negotiations of the CSSDCA convention. This has two components: funding of participation at the meetings and funding of the Conference services and facilities. Participating States would be expected to pay for the cost of their representatives participating in such meetings. In addition, they will meet an assessed share of the common costs of conference services and facilities.

The second level of financial requirements pertain to the permanent secretariat of the CSSDCA that will be established on the completion of negotiations. This will be funded as common costs of conference services and facilities.

APPENDIX C

STENY H. HOYER, MARYLAND, CHAIRMAN
DENNIS DeCONCINI, ARIZONA, CO-CHAIRMAN

DANTE B. FASCELL, FLORIDA
EDWARD J. MARKEY, MASSACHUSETTS
BILL RICHARDSON, NEW MEXICO
EDWARD FEIGHAN, OHIO
DON RITTER, PENNSYLVANIA
CHRISTOPHER H. SMITH, NEW JERSEY
JOHN EDWARD PORTER, ILLINOIS
FRANK R. WOLF, VIRGINIA
FRANK LAUTENBERG, NEW JERSEY
TIMOTHY WIRTH, COLORADO
WYCHE FOWLER, GEORGIA
HARRY REID, NEVADA
ALFONSE M. D'AMATO, NEW YORK
JOHN HEINZ, PENNSYLVANIA
MALCOLM WALLOP, WYOMING
LARRY E. CRAIG, IDAHO

EXECUTIVE BRANCH COMMISSIONERS
RICHARD SCHIFTER, DEPARTMENT OF STATE
STEPHEN J. HADLEY, DEPARTMENT OF DEFENSE
WILLIAM D. FRITTS, DEPARTMENT OF COMMERCE

SAMUEL G. WISE, STAFF DIRECTOR
MARY SUE HAFNER, DEPUTY STAFF DIRECTOR AND GENERAL COUNSEL
JANE S. FISHER, DEPUTY STAFF DIRECTOR

COMMISSION ON
SECURITY AND COOPERATION IN EUROPE
237 HOUSE OFFICE BUILDING ANNEX 2
WASHINGTON, DC 20515

(202) 225-1901

August 8, 1991

His Excellency F.W. De Klerk
State President of the
Republic of South Africa
Pretoria

Dear Mr. State President:

On my first visit to South Africa I want to thank you for the gracious hospitality shown me and my delegation and to commend you for the courageous and visionary leadership you have demonstrated. This is a particularly critical time to be in South Africa.

I have had the opportunity to hear from a broad range of perspectives and am encouraged by the expressed determination on the part of all to peacefully resolve outstanding political and human rights issues.

As encouraged as I am by the progress being made, largely at your insistance towards the dismantling of apartheid, I am concerned about the unresolved issue of political prisoners. Two days ago I met with representatives of the Human Rights Commission who shared with me lists of individuals whose continued incarceration remains an obstacle to the success of negotiations your government is presently engaged in with the African National Congress.

Among the unresolved political prisoner cases is a group detained in Bophuthatswana, arrested and convicted of treason in the wake of a failed coup attempt. While I recognize that your government views Bophuthatswana to be an independent entity, South Africa's significant involvement in the area could greatly assist in a positive resolution of their cases.

The second and third lists of prisoners which I am respectfully transmitting to you are regarded as political prisoners by the government under terms of the Pretoria Minute of August 1990. Of these, approximately 280 have been "audited" (reviewed) with the assistance of the Department of Correctional Services. Hundreds of others

have yet to undergo this process, which is essential for the purpose of determining which individuals should be released. As each has been identified as a political prisoner under terms agreed to by your government, it is not easily understood why they have not yet been released pursuant to the terms of the August agreement.

During this period of unprecedented change, challenge and opportunity in South Africa, it is imperative that decades of mistrust and suspicion be replaced with constructive and good faith dealings. To that extent, any and all individuals deemed to be political prisoners should be released immediately. This would be more than a humanitarian act; it would be critical to the process of reconciliation among all the peoples of South Africa.

The future success of a democratic South Africa largely depends on the good faith efforts of all interested parties in fulfilling commitments undertaken. It is in that spirit that the government should complete the process of freeing all considered to be political prisoners so that they too may participate fully in a new South Africa.

I again want to thank you for helping make our visit so rewarding. I look forward to hearing from you, and wish the best for you and the people of South Africa.

With kindest regards, I am sincerely

Dennis DeConcini

Dennis DeConcini
United States Senator

APPENDIX D

STENY H. HOYER, MARYLAND, CHAIRMAN
DENNIS DeCONCINI, ARIZONA, CO-CHAIRMAN

DANTE B. FASCELL, FLORIDA
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LARRY E. CRAIG, IDAHO
VACANT

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COMMISSION ON
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237 FORD HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-1901

August 17, 1991

His Excellency Daniel arap Moi
President
Nairobi
Republic of Kenya

Dear Mr. President:

I want to take this opportunity to say how pleased I am to visit your beautiful and vibrant country. For many years the United States has considered Kenya a valued friend in Africa and a stable nation with shared values. We have maintained over the years a significant political, economic and strategic relationship that has benefitted both our countries and peoples. It is a friendship that, I believe, can be strengthened through frank and open discussion about issues that underlie our shared objectives.

As Co-Chairman of the Commission on Security and Cooperation in Europe, I have visited and closely followed developments in all the former Warsaw Pact nations. I firmly believe that the failure of communism as an economic and political doctrine has -- more than any event in modern history -- unmasked the bankruptcy of political systems that maintain power at the expense of individual human rights and fundamental freedoms.

Events in Eastern Europe and the Soviet Union have demonstrated that political pluralism and the open competition of ideas are just and effective means to achieving economic and social progress and justice for all citizens. It was only in those countries where the leadership refused to heed popular cries for a participatory government that violence ensued -- for it is in the will of the people that a government's authority ultimately derives and rests.

Last May, in Kampala, more than 500 African leaders, scholars, economists, human rights advocates and others convened to deliberate on a new charter of freedom for all of Africa. The document which emerged offered a framework for democratic governance and development, while simultaneously addressing problems related to security and stability in Africa. The Kampala Document puts forward as a central premise that respect for human rights and fundamental freedoms is necessary for both individual and state security. I believe that the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA), of which Kampala was a part, offers a critical opportunity for all African states to move further toward full and meaningful democratic governance and accountability.

Since 1982, when a constitutional amendment prohibited a multi-party system, a fundamental right of Kenyans to change their government through the electoral process has been severely restricted. Recent attempts to introduce freedom of political choice in Kenya have been met with repression, imprisonment and general harassment.

Calls for basic freedoms, including freedom of speech, association, assembly and movement are being circumscribed or repressed harshly. When a Nairobi court jailed George Anyona, Augustine Njeru Kathangu, Edward Oyugi and Ngotho Kariuki for seven years for doing nothing more than peacefully calling for respect for democratic principles, your government's commitment to those individual freedoms was seriously undermined. In all societies, I believe, it is the responsibility of democratic governments to promote and encourage tolerance and respect for differing viewpoints, not to prohibit them.

In addition to the four individuals named above, other political prisoners which have been brought to my attention include -- Koigi Wa Wamwere, Rumba Kinuthia and Mirugi Kariuki -- who remain in prison for promoting a pluralistic society or for being associated with individuals or groups seeking to form opposition parties. I urge you to release these individuals and all others imprisoned for making non-violent political expressions. By allowing the citizens of your nation to freely express their beliefs, you will be demonstrating your government's commitment to human rights and democracy.

As states across the African continent continue to search for means to further economic development and political cooperation, they proceed at varying speeds. It is crucial, however, that in this process governments respect the will and needs of their citizens. I believe the Kampala principles provide a promising framework on which these changes can take place peacefully and in which internal and external trust among African nations and peoples can be encouraged.

As President of this great nation, you have the means to guide Kenya along the difficult path of democracy and to achieve greater economic progress from which all Kenyans can benefit, as indeed will the rest of Africa.

I offer my best wishes to you and the citizens of Kenya, and sincerely hope that the future will bring peace and prosperity.

With kindest regards, I am

Dennis DeConcini
United States Senator